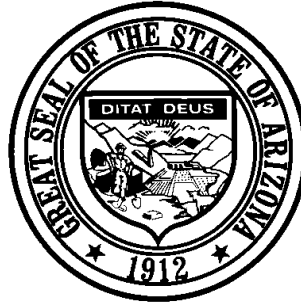


**ARIZONA DEPARTMENT OF
WEIGHTS AND MEASURES**

JANET NAPOLITANO
GOVERNOR

J. ART MACIAS, JR.
DIRECTOR



NEWS RELEASE

FOR MORE INFORMATION CONTACT:

Steve Meissner
Public Information Officer
(623) 463-9948
Cell: (520) 440-3005
smeissner@azdwm.gov
www.azdwm.gov

EMBARGOED: For Release on FRIDAY, NOVEMBER 25, 2005

Retail Price Inspections Find High Rate Of Overcharges

GLENDALÉ – Nearly one of three retail scanners inspections conducted over the past 12 months found evidence that consumers were being overcharged, an annual survey by the Department of Weights and Measures has found.

The Annual Price Verification Survey shows that the department conducted 1,335 inspections of retail pricing devices between November 1, 2004 and October 31, 2005. Those inspections found 385 cases where the price recorded through the Universal Product Code (UPC) was higher than the posted price for two or more items, an overall failure rate of 28.8 percent.

There were 42 diligent retailers who had perfect inspection scores during this period. These retailers consistently passed price verification inspections conducted over the past three years, earning them a spot on the Department's **Highest Ratings List**. Some have appeared on this list for several years in a row.

Some retailers, however, consistently failed a number of inspections and re-inspections over the past 12 months. That earned them thousands of dollars in civil penalties, and a spot on the Department's **Need Most Improvement List**. Some of retailers have also appeared on this list for several years in a row.

The Rating Lists are attached. Retailers who appeared on the same list for the last year are highlighted. A full list of UPC Inspection results will be available on the department's website, www.azdwm.gov, where the public can see how their favorite retailers are performing

This failure rate is up from 16.4 percent in the prior 12-month period, even though the department changed its policy of counting under-charges as an inspection failure. The higher rate is due in part to an enhanced enforcement policy that is being applied to problem retailers.

Some UPC inspections are conducted because of complaints from consumers, while others are conducted on a random basis. When a retailer fails a UPC inspection, the Department returns seven days later and conducts another inspection. If the store fails again, a Weights and Measures Investigator will return the following day until the store passes two consecutive inspections.

The total amount of overcharges detected by Weights and Measures inspections was \$9,508.37 over the past 12 months. As part of its enhanced enforcement, it assessed \$99,800 in civil penalties against retailers, up from \$65,000 during the previous 12-month period.

In addition to imposing civil penalties, the Department also offers corporate education sessions to help retailers comply with UPC regulations. The Department also offers a series of shopping tips to help consumers avoid overcharges. The tips are attached and available to consumers at www.azdwm.gov.

#

Highest Ratings

Company Name	Number of Inspections	Failed Inspections (two or more overcharges)	Percent Failed	Number of Overcharged Items	\$ Amount of Civil Penalties
SAMS CLUB	9	0	0%	0	\$0
COSTCO WHOLESALE*	9	0	0%	0	\$0
BIG LOTS*	7	0	0%	0	\$0
SUNCOAST MOTION PICTURE CO.*	6	0	0%	0	\$0
CLAIRES BOUTIQUES	5	0	0%	0	\$0
BATH AND BODY WORKS	5	0	0%	0	\$0
VITAMIN WORLD*	5	0	0%	0	\$0
SPENCER GIFTS*	5	0	0%	0	\$0
WET SEAL*	5	0	0%	0	\$0
NORDSTROM	5	0	0%	0	\$0
LANE BRYANT*	5	0	0%	0	\$0

**These companies appeared on the 2004 Highest Ratings List.*

Need Most Improvement

Company Name	Number of Inspections	Failed Inspections (two or more overcharges)	Percent Failed	Number of Overcharged Items	\$ Amount of Civil Penalties
SPORTS AUTHORITY INC*	67	45	67%	181	\$20,100
PEP BOYS SUPERCENTER*	62	39	63%	216	\$16,100
NAPA AUTO PARTS	5	3	60%	10	\$600
TOYS R US	16	9	56%	31	\$1,400
AUTOZONE*	142	73	51%	382	\$17,000
CHECKER AUTO PARTS*	41	18	44%	79	\$5,100
RADIOSHACK CORP*	31	13	42%	49	\$3,000
BEST BUY STORES L P	13	5	38%	16	\$1,000
ULTA SALON AND COSMETICS*	14	5	36%	26	\$3,100
K MART STORES	14	5	36%	17	\$900

**These companies appeared on the 2004 Need Most Improvement List.*

Shopping Tips

- 1. BRING ADS WITH YOU WHEN YOU SHOP.** Compare the advertised price against your sales receipt.
- 2. WATCH THE REGISTER DISPLAY.** Make sure the price you're charged is the same as the price that was posted.
- 3. CHECK YOUR RECEIPT BEFORE YOU LEAVE THE STORE.**
- 4. SPEAK UP PROMPTLY IF YOU SEE ANY ERRORS.** Most retailers will be happy to correct the problem.
- 5. ASK TO SEE THE STORE'S WRITTEN PRICING ERROR POLICY.** State law requires all retailers to have a written policy on UPC pricing errors.

If you have a complaint about pricing, contact the Department of Weights and Measures at 602-255-5211 or 1-800-277-6675, or visit the Department website, www.azdwm.gov, and fill out an online complaint form that is available in English or Spanish.